



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|-------------------------------|
| In re application of: | § | |
| Makarov et al. | § | Group Art Unit: 2881 |
| | § | |
| Serial No. 10/804,692 | § | Examiner: Souw, Bernard E. |
| | § | |
| Filed: 03/19/2004 | § | Attorney Docket No.: 26114.14 |
| | § | |
| For: Obtaining Tandem Mass | § | Customer Number: 27683 |
| Spectrometry Data for Multiple | § | |
| Parent Ions in an Ion | § | Confirmation No.: 9158 |
| Population | § | |

THIRD INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited documents are listed in chronological order and are not in any order based on their pertinence.

Pursuant to the amendment to 37 CFR 1.98 (a)(2)(i), as stated in an OG Notice dated October 12, 2004, copies of the U.S. patent documents listed on the enclosed modified Form PTO-1449 are not attached.

This Information Disclosure Statement is being filed more than three months after the United States filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action under §1.113 or Notice of Allowance under §1.311 (37 CFR §1.97(c)).

It is hereby certified that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office (Patent Cooperation Treaty Application) in a counterpart foreign application not more than three months prior to the filing date thereof (A copy of that communication is

submitted herewith (37 CFR §1.97 (e)(1))), and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual having a duty to disclose under 37 CFR §1.56(c)) more than three months prior to the filing date hereof (37 CFR §1.97(e)(2)).

No fees are believed to be due. However, the Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Haynes and Boone, LLP Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

T. F. Bliss

Date: 11/3/05
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8638
Facsimile: 214-200-0853
R120370.1

Timothy F. Bliss
Registration No. 50,925

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11-3-05

Gayle Conner
Gayle Conner

| | | | | | |
|---|---|---|---|------------------------|------------------|
| In place of PTO-1449 Form | | U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | NOV 08 2005 | | Application Number | 10/804,692 |
| | | | | Filing Date | 03/19/2004 |
| | | | | Applicant(s) | Makarov et al. |
| | | | | Art Unit | 2881 |
| | | | | Examiner Name | Souw, Bernard E. |
| SHEET | 1 | OF | 1 | Attorney Docket Number | 26114.14 |

| U. S. PATENT DOCUMENTS | | | | |
|------------------------|----------|-----------------|--------------------------------|---|
| Examiner's Initials | Cite No. | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
| | AA | 5073713 | 12/17/1991 | Smith et al. |
| | AB | 5420425 | 05/30/1995 | Bier et al. |
| | AC | 5576540 | 11/19/1996 | Jolliffe |
| | AD | 5763878 | 06/09/1998 | Franzen |
| | AE | 5783824 | 07/21/1998 | Baba et al. |
| | AF | 20020092980 | 07/18/2002 | Park |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|----------|---|--------------------------------|---|--------------------|
| Examiner's Initials | Cite No. | Foreign Patent Document (Country Code - Number - Kind) | Publication Date MM-DD-YYYY | Patentee or Applicant of Cited Document | Translation Y/N |
| | BA | WO 01/15201 A2 | 03/01/2001 | University of New Hampshire | English |
| | BB | WO 01/78106 A2 | 10/18/2001 | Perceptive Biosystems, Inc. | English |
| | BC | EP 1267387 A2 | 12/18/2002 | Bruker Daltonics, Inc. | English |
| | | | | | |
| | | | | | |

| NON-PATENT LITERATURE DOCUMENTS | | |
|---------------------------------|----------|--|
| Examiner's Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published |
| | CA | Partial International Search Report from corresponding Patent Cooperation Treaty Application PCT/GB2004/001174, dated August 17, 2005. |
| | | |
| | | |
| | | |
| | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.